IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 234 OF 1989

Smt. Hansa Vithalrao Joshi, since]
deceased by her heirs:]
(1)Vithalrao Vallabhrao Joshi,]
(2)Lalitkumar Vithalrao Joshi,]
(3)Ashokkumar Vithalrao Joshi,]
(4)Pushpaben Nagendra Mehta,]
(5)Sharaya Dhruve Mehta.].. Appellants (Ori.Claimant)

Versus

The Special Land Acquisition Officer.] .. Respondents(Ori.Oppnt.)

Mr. R.A. Thorat i/b Dhruve Liladhar & Co. for the appellants.

Mr. K.K. Tated, GP, for the respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ

DATED: 10TH AUGUST, 2004.

P.C. :

1. Notification under Section 4 was published on 3rd February, 1970.

(a) Award was passed on 30th December, 1982.

(b) Possession of the land was taken on 12th January, 1983.

(c) The Pune Mumbai Highway from the land is situated at a distance of 400 meters.

2. Considering the judgment passed in First Appeal No. 757 of 2003 with Civil Application No. 514 of 2003 and First Appeal No. 1782 of 2002 along with Civil Application No. 1078 of 2004, the market value of the land is fixed at Rs. 25/- per square meter. Consequently, they are entitled to all consequential benefits under the Act.

3. In the light of the above, First Appeal is partly allowed. There shall be no order as to costs.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]